



# Journal of the Senate

Number 14

Tuesday, May 7, 1985

## Prayer

The following prayer was offered by the Rev. John L. Bodison, Pastor, Martin Memorial AME Church, Richmond Heights:

Our Father, because we art thy children, because thou art God, because we art finite and because thou art infinite, because we are weak, because thou art strong, because thou has invited us to come to thee, we come. We come Lord, with expression of thanksgiving because of thy great mercy. We thank you for this privilege, as well as this opportunity. Thank you for all that you have done for us for you have brought us from where we were to where we are. We thank you.

We come now to open this session of the decision making. Come by Lord, come by here and breathe your seal of approval upon this meeting; that this be a successful meeting. Make us aware that the decisions about to be made will affect many lives. Come by and take control of us that we might see the evidence of thy great glory. Come by Lord, and give us wisdom and strengthen us whereby we may be marshalled by your spiritual forces into the unity of oneness. Hear our prayers. Bless each member of this body. Bless our country and grant us thy peace. Amen.

The Senate pledged allegiance to the flag of the United States of America.

## Call to Order

The Senate was called to order by the President at 9:00 a.m. A quorum present—39:

Mr. President	Fox	Jennings	Myers
Barron	Frank	Johnson	Neal
Beard	Gersten	Kirkpatrick	Peterson
Carlucci	Girardeau	Kiser	Plummer
Castor	Gordon	Langley	Scott
Childers, D.	Grant	Malchon	Stuart
Childers, W. D.	Grizzle	Mann	Thurman
Crawford	Hair	Margolis	Vogt
Deratany	Hill	McPherson	Weinstein
Dunn	Jenne	Meek	

Excused: Senator Thomas until 10:00 a.m.; Senator Hair periodically for the purpose of working on tort reform and malpractice bills

## Votes Recorded

Senator Hair was recorded as voting yea on the following which were considered May 2: Senate Bills 285, 489, 198 and 895.

On motion by Senator Castor, by unanimous consent—

**SB 327**—A bill to be entitled An act relating to children's art work; creating the Children's Art Exhibit Program; prescribing the purpose of the program; assigning administration of the program to the Department of Education; providing program procedures; providing that the art remains the property of the artist; providing an appropriation; providing an effective date.

—was taken up out of order and read the second time by title.

The Committee on Rules and Calendar recommended the following amendments which were moved by Senator Castor and adopted:

**Amendment 1**—On page 2, strike all of lines 4-7 and renumber subsequent sections.

**Amendment 2**—In title, on page 1, lines 8 and 9, strike "providing an appropriation;"

On motion by Senator Castor, by two-thirds vote SB 327 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Kirkpatrick	Peterson
Beard	Girardeau	Kiser	Plummer
Carlucci	Gordon	Langley	Scott
Castor	Grant	Malchon	Stuart
Childers, D.	Grizzle	Mann	Thurman
Childers, W. D.	Hair	Margolis	Vogt
Crawford	Hill	McPherson	Weinstein
Deratany	Jenne	Meek	
Dunn	Jennings	Myers	
Fox	Johnson	Neal	

Nays—None

Vote after roll call:

Yea—Gersten

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, May 7, 1985: CS for CS for CS for SB's 122, 84 and 85, SB 329, SB 951, CS for SB 26, SB 327, CS for SB 416, SB 316, SB 450, CS for CS for SB 247, CS for SB 419, SB 280, SB 373, CS for SB's 346 and 575, CS for SB 400, SB 289, SB 223, SB 118, SB 361, SB 234, SB 965, SB 249

Respectfully submitted,  
*Kenneth C. Jenne, Chairman*

The Committee on Commerce recommends the following pass: SB 721

The Committee on Economic, Community and Consumer Affairs recommends the following pass: CS for SB 261

The Committee on Judiciary-Criminal recommends the following pass: SB 335, SB 377, SB 989

The Committee on Transportation recommends the following pass: SB 631, SB 647 with 2 amendments

**The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.**

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 698

The Committee on Judiciary-Criminal recommends the following pass: SB 282

The Committee on Transportation recommends the following pass: SB 334 with 2 amendments, SB 1061

**The bills contained in the foregoing reports were referred to the Committee on Commerce under the original reference.**

The Committee on Commerce recommends the following pass: SB 703, SB 863

**The bills were referred to the Committee on Economic, Community and Consumer Affairs under the original reference.**

The Special Master on Claims recommends the following pass: SB 279

The Committee on Transportation recommends the following pass: SB 553 with 6 amendments, SB 589 with 5 amendments, SB 625 with 1 amendment

**The bills contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.**

The Committee on Judiciary-Criminal recommends the following pass: SB 745 with 1 amendment

**The bill was referred to the Committee on Health and Rehabilitative Services under the original reference.**

The Committee on Judiciary-Criminal recommends the following pass: SB 564, SB 577 with 1 amendment, SB 687 with 1 amendment, SB 557 with 2 amendments, SB 629

**The bills were referred to the Committee on Judiciary-Civil under the original reference.**

The Committee on Transportation recommends the following pass: SB 639

**The bill was referred to the Committee on Rules and Calendar under the original reference.**

The Committee on Judiciary-Criminal recommends the following pass: SB 1159 with 1 amendment

**The bill was referred to the Committee on Transportation under the original reference.**

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 250, SB 514

The Committee on Judiciary-Criminal recommends the following pass: HB 146 with 1 amendment, SB 535 with 1 amendment, SB 696, SB 661 with 2 amendments, SB 500 with 3 amendments, SB 686, SB 1040 with 2 amendments

The Committee on Rules and Calendar recommends the following pass: SM 1002, SB 1011, SM 778

The Committee on Transportation recommends the following pass: SB 662 with 3 amendments, SB 729 with 1 amendment

**The bills contained in the foregoing reports were placed on the calendar.**

The Committee on Transportation recommends the following not pass: SB 50

**The bill was laid on the table.**

The Special Master on Claims recommends the following not pass: SB 1020

**The bill was referred to the Committee on Finance, Taxation and Claims under the original reference.**

The Committee on Commerce recommends committee substitutes for the following: SB 734, SB 1273

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1094

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 1081

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.**

The Committee on Governmental Operations recommends committee substitutes for the following: SB 889, SB 996

**The bills with committee substitutes attached were referred to the Committee on Commerce under the original reference.**

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 1122

**The bill with committee substitute attached was referred to the Committee on Economic, Community and Consumer Affairs under the original reference.**

The Committee on Commerce recommends a committee substitute for the following: SB 909

The Committee on Governmental Operations recommends a committee substitute for the following: SB 806

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 1171

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.**

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: Senate Bills 862, 740 and 1241

**The bills with committee substitute attached were referred to the Committee on Governmental Operations under the original reference.**

The Committee on Commerce recommends a committee substitute for the following: SB 927

**The bill with committee substitute attached was referred to the Committee on Health and Rehabilitative Services under the original reference.**

The Committee on Commerce recommends a committee substitute for the following: SB 974

The Committee on Governmental Operations recommends a committee substitute for the following: SB 898

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 726

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary-Civil under the original reference.**

The Committee on Commerce recommends a committee substitute for the following: SB 897

The Committee on Governmental Operations recommends a committee substitute for the following: SB 977

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary-Criminal under the original reference.**

The Committee on Education recommends a committee substitute for the following: SB 617

**The bill with committee substitute attached was referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.**

The Committee on Judiciary-Civil recommends a committee substitute for the following: SB 290

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 1088

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.**

The Committee on Commerce recommends a committee substitute for the following: SB 663

**The bill with committee substitute attached was referred to the Committee on Transportation under the original reference.**

The Committee on Commerce recommends committee substitutes for the following: SB 660, SB 960, SB 961, SB 963, SB 982, SB 511, SB 713, SB 973

The Committee on Economic, Community and Consumer Affairs recommends committee substitutes for the following: SB 348, SB 636, SB 737, CS for SB 34

The Committee on Governmental Operations recommends a committee substitute for the following: SB 801

The Committee on Judiciary-Criminal recommends committee substitutes for the following: SB 286, SB 478

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 762

The Committee on Rules and Calendar recommends a committee substitute for the following: SB 507

**The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.**

#### REQUESTS FOR EXTENSION OF TIME

May 2, 1985

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: Senate Bills 493, 509, 524, 560, 580, 586, 640

May 3, 1985

The Committee on Commerce requests an extension of 15 days for consideration of the following: Senate Bills 836, 839, 841, 847, 854, 868, 901, 903, 905, 908, 911, 925, 932, 933, 948, 970, 972, 976, 988, 1023, 1025, 1030

The Committee on Education requests an extension of 15 days for consideration of the following: Senate Bills 825, 826, 830, 833, 843, 861, 873, 874, 880, 894, 922, 952, 953, 959, 1003, 1013

The Committee on Finance, Taxation and Claims requests an extension of 15 days for consideration of the following: Senate Bills 1, 102, 120, 161, 325, 448, 468, 470, 484, 513, 585, 588, 641, 645, 648, 832, 837, 855, 878, 893, 907, 913, 946, 971, 975, 985, 995, 1005, 1019, 1022, 1039, 1044, 1049, 1091, 1093, 1113, 1119, 1142, 1173, 1176, 1188, 1192, 1236, 1239, 1249

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: Senate Bills 883, 906, 934, 969, 986, 1035

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for consideration of the following: Senate Bills 293, 378, 399, 598, 697, 904, 936, 956, 990, 999, 1004, 1014, 1015, 1021, 1065, 1096, 1104, 1200

May 6, 1985

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: Senate Bills 204, 510, 552, 592, 651, 858, 1050, 1051, 1064, 1110

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: Senate Bills 1073, 1074, 1076, 1097, 1101, 1120, 1136, 1141, 1162, 1169, 1220, 1231, 1253; HB 8

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: Senate Bills 51, 59, 60, 155, 156, 190, 213, 244, 281, 297, 353, 359, 682, 723, 750, 751, 753, 774, 828, 829, 857, 859, 875, 879, 962, 993, 997, 1008, 1046

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: Senate Bills 494, 518

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: Senate Bills 168, 180, 230, 368, 467, 538, 539, 602, 605, 614, 646, 665, 1130, 1166, 1167, 1179, 1197, 1237, 1245; House Bills 247, 378, 390, 526, 1154, 1155, 1156, 1157, 1158, 1159, 1183

The Committee on Transportation requests an extension of 15 days for consideration of the following: Senate Bills 71, 207, 209, 260, 265, 374, 437, 495, 570, 594, 635, 722, 728, 756, 769, 814, 817, 850, 888, 968, 978, 1010, 1012, 1071, 1077, 1138, 1148, 1191, 1194, 1198, 1204, 1225, 1235, 1242, 1250, 1252, 1293; House Bills 85, 623

#### FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Commerce and Senators Stuart, Castor, Girardeau, Thurman, W. D. Childers, Grizzle, Jenne and Dunn—

**CS for SB 34**—A bill to be entitled An act relating to the "Florida Cemetery Act"; amending s. 497.005, F.S.; adding a definition of "monument"; amending s. 497.006, F.S.; requiring a certain acreage prior to the establishment of a cemetery; providing for waiver of need requirement in certain circumstances; amending s. 497.041, F.S.; prohibiting certain installation and maintenance fees and limiting inspection fees; amending s. 497.044, F.S.; prohibiting certain tying arrangements between the sale of grave space in a cemetery and the provision of certain services or the imposition of certain fees with respect to monuments; permitting cemetery companies to provide certain rules regarding installation of monuments by noncemetery persons; providing civil penalties; amending s. 497.048, F.S.; limiting the period for refund for a cancellation of a contract; providing an effective date.

By the Committees on Economic, Community and Consumer Affairs and Commerce and Senators Stuart, Castor, Grizzle, Girardeau, Thurman, W. D. Childers, Jenne and Dunn—

**CS for CS for SB 34**—A bill to be entitled An act relating to the "Florida Cemetery Act"; amending s. 497.003, F.S.; exempting certain columbaria from the Florida Cemetery Act; amending s. 497.005, F.S.; adding a definition of "monument"; amending s. 497.006, F.S.; requiring a certain acreage prior to the establishment of a cemetery; providing for waiver of need requirement in certain circumstances; amending s. 497.022, F.S.; providing for care and maintenance of a cemetery including monuments; amending s. 497.023, F.S.; authorizing cemetery companies to assess a uniform monument maintenance fee; amending s. 497.041, F.S.; prohibiting certain installation and maintenance fees and limiting inspection fees; amending s. 497.044, F.S.; prohibiting certain tying arrangements between the sale of grave space in a cemetery and the provision of certain services or the imposition of certain fees with respect to monuments; permitting cemetery companies to provide certain rules regarding installation of monuments by noncemetery persons; providing civil penalties; amending s. 497.048, F.S.; limiting the period for refund for a cancellation of a contract; providing an effective date.

By the Committees on Appropriations and Judiciary-Criminal and Senators Crawford, Weinstein, Neal and Kiser—

**CS for CS for SB 241**—A bill to be entitled An act relating to criminal investigations and prosecutions; amending ss. 16.01, 27.14, 27.36, 27.37, 905.33, 905.34, 905.36, 110.205, F.S.; creating s. 16.56, F.S.; specifying prosecutorial jurisdiction of the Attorney General; creating an Office of Statewide Prosecution in the Department of Legal Affairs; providing for appointment of a statewide prosecutor in charge of such office; specifying powers and duties of such office; providing for appointment of a state attorney to discharge the duties of the statewide prosecutor in specified circumstances; specifying membership of the Council on Organized Crime; providing that the statewide prosecutor is the legal adviser of the statewide grand jury; specifying jurisdiction of the statewide grand jury; specifying duties of the legal adviser of the statewide grand jury; specifying exemptions from career service; providing a contingent effective date.

By the Committee on Judiciary-Criminal and Senator Fox—

**CS for SB 286**—A bill to be entitled An act relating to criminal history records; amending s. 943.058, F.S.; authorizing access to certain sealed and expunged records by certain governmental agencies; authorizing the court to order sealing or expunction under certain circumstances; requiring certain notification of petitions for the sealing or expunction of such records; adding a circumstance under which a person whose records have been sealed or expunged may not lawfully deny the events in the record; expanding the statement which the petitioner for a record sealing or expunction must complete; requiring the Department of Law Enforcement to notify the state attorney of certain unlawful orders of sealing or expunction and providing for corrective action; providing an effective date.

By the Committee on Judiciary-Civil and Senators Fox, Carlucci, Dunn and Frank—

**CS for SB 290**—A bill to be entitled An act relating to judicial proceedings involving children; providing that certain cases involving children shall take precedence before the court; amending s. 90.606, F.S.; authorizing the court to qualify interpreters in certain cases involving the

abuse or sexual abuse of children; amending s. 90.605, F.S.; providing that children may testify without taking an oath of truth in certain circumstances; amending s. 90.803, F.S.; providing exceptions to the rules prohibiting the admissibility of certain out-of-court statements; amending s. 90.90, F.S.; providing procedures for videotaping the testimony of certain children; creating s. 92.54, F.S.; authorizing and providing procedures for the use of closed circuit television to take testimony of certain children in certain circumstances; creating s. 92.55, F.S.; authorizing the court to issue protective orders in certain cases involving children; amending s. 119.011, F.S.; providing that certain records relating to sexual abuse and child abuse shall be confidential; providing that s. 90.90, F.S., relating to the videotaping of testimony in child or sexual abuse cases, is renumbered as s. 92.53, F.S.; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Meek—

**CS for SB 348**—A bill to be entitled An act relating to dwelling units; amending s. 83.49, F.S.; requiring an objection in writing to the imposition of a landlord's claim against deposit money or advance rent; amending s. 83.52, F.S.; requiring a tenant to conduct himself in a manner that does not constitute a criminal offense; amending s. 83.56, F.S.; providing that a landlord may terminate a rental agreement if the rental property is used to facilitate the commission of a criminal offense; creating s. 83.67, F.S.; providing for prohibited practices; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Jennings—

**CS for SB 478**—A bill to be entitled An act relating to credit card crimes; amending s. 817.58, F.S.; providing definitions; amending s. 817.60, F.S.; providing penalties for the possession, control, or custody of a counterfeit credit card or other manifestations of such card; creating a presumption; amending s. 817.61, F.S.; providing increased penalties for fraudulent use of a credit card in certain circumstances; creating s. 817.611, F.S.; providing penalties for trafficking or attempting to traffic in counterfeit credit cards, or other manifestations of such cards or credit card account numbers which belong to another; creating s. 817.612, F.S.; providing penalties for the use of an expired or revoked credit card; creating s. 817.631, F.S.; providing penalties for possessing or transferring credit-card-making equipment with the intent that such equipment be used to produce counterfeit credit cards; amending s. 817.65, F.S.; precluding certain defenses; creating s. 817.685, F.S.; providing circumstances under which certain business records will be deemed authentic and certain witnesses deemed qualified to testify as to hearsay; repealing s. 817.63, F.S., relating to possession of certain machinery and incomplete credit cards; providing an effective date.

By the Committee on Rules and Calendar and Senator Jenne—

**CS for SB 507**—A bill to be entitled An act relating to state planning and budgeting; providing definitions; providing for consensus estimating conferences to develop official information relating to the economy, demographics, revenues, education, the criminal justice system, the social service system, and transportation; requiring state agencies to use such official information in the planning and budgeting process; providing for membership, areas of responsibilities, duties, and sessions of such conferences; providing for the Florida Education Finance Program Appropriation Allocation Conference, its membership, and its duties; providing an effective date.

By the Committee on Commerce and Senator Stuart—

**CS for SB 511**—A bill to be entitled An act relating to insurance; amending ss. 626.789, 626.834, F.S.; removing prohibitions against the licensure of persons on active military duty as health or life insurance agents; requiring persons in the armed forces obtaining such licenses to maintain records at certain locations; prohibiting sales by such licensees to certain persons; amending ss. 626.391, 626.785, and 626.831, F.S., to conform; providing an effective date.

By the Committee on Commerce and Senator Girardeau—

**CS for SB 555**—A bill to be entitled An act relating to insurance; amending s. 283.10, F.S., relating to contracts with respect to the printing or furnishing of insurance examinations and related material; amending s. 624.501, F.S., establishing fees for limited surety agents, professional bail bondsmen, and runners; amending s. 626.171, F.S., deleting language relating to primary and additional agent's license; amending s. 626.181, F.S., providing that an examination is not required for each license of the same type; amending s. 626.231, F.S., relating to the 60-day waiting

period for general lines agent and solicitor examinations and to receipt of examination fees; amending ss. 626.251 and 626.261, F.S., relating to the time, place, and conduct of examinations for a license as agent, solicitor, or adjuster; amending s. 626.271, F.S., providing for a fee for electronic examination; amending s. 626.331, F.S., deleting language relating to an agent's primary license; amending s. 626.341, F.S., deleting and revising language relating to primary and to life and health agent's license; amending s. 626.391, F.S., deleting language relating to an agent's primary license; amending s. 626.431, F.S., deleting language relating to additional or subsequent agent's license; amending s. 626.471, F.S., deleting and revising language relating to an agent's primary license; amending s. 626.740, F.S., relating to temporary limited licenses as an industrial fire agent; amending s. 626.786, F.S., deleting language relating to an agent's primary license; amending s. 626.790, F.S., extending temporary life agent licenses to a 6-month period; amending s. 632.471, F.S., changing the scope of the examination for a fraternal agent's license; amending s. 634.171, F.S., providing for biennial registration of motor vehicle warranty salesmen; amending s. 634.318, F.S., changing the registration date for home warranty salesmen; amending s. 634.420, F.S., changing the registration date for service warranty associations; amending s. 642.036, F.S., changing the registration date for legal expense insurance salesmen; amending s. 648.25, F.S., deleting references to general lines agents from bail bondsmen definitions; amending s. 648.27, F.S., to correct references to bail bondsmen license renewal dates; amending s. 648.38, F.S., relating to bail bondsmen license examinations; amending s. 648.41, F.S., changing the license renewal date for runners; amending s. 648.44, F.S., prohibiting individuals who have been convicted of or plead guilty or no contest to certain crimes from engaging in bail bond activities; providing an effective date.

By the Committee on Commerce and Senator Fox—

**CS for SB 612**—A bill to be entitled An act relating to mortgage brokerage; amending s. 494.02, F.S.; amending the definition of "mortgage broker"; amending s. 494.04, F.S.; requiring durational residency in the state before a person is licensed as a mortgage broker; deleting certain citizenship requirements; amending s. 494.042, F.S.; providing for special fees assessed against first-time licensees to fund the Mortgage Brokerage Guaranty Fund; providing for the assessment of such special fees upon license renewal under certain circumstances; amending s. 494.043, F.S.; waiving certain requirements for recovery from the Mortgage Brokerage Guaranty Fund under certain circumstances; amending s. 494.044, F.S.; increasing the maximum benefits payable from the fund; amending s. 494.05, F.S.; providing additional grounds for the denial, suspension, or revocation of a mortgage broker's license; amending s. 491.071, F.S.; providing for the impounding of certain property of a mortgage broker and the appointment of a receiver or administrator for such property under certain circumstances; providing an effective date.

By the Committee on Education and Senators Castor, Thurman, Meek, Neal, Kirkpatrick, Jenne, Fox, Malchon, Mann, Grant, Grizzle, Beard, Johnson, Weinstein and Stuart—

**CS for SB 617**—A bill to be entitled An act relating to the State University System; providing legislative intent; creating s. 240.2012, F.S.; establishing the State University System as a political subdivision; amending s. 240.205, F.S.; providing authority to acquire real and personal property; amending s. 240.209, F.S.; providing for employment of personnel; providing authority for management information systems; providing for the adoption of rules; providing for the administration of a program for the maintenance and construction of facilities; providing for administrative costs; amending s. 240.227, F.S.; providing powers and duties of university presidents; amending s. 240.257, F.S.; providing for the establishment of challenge grants; creating s. 240.269, F.S.; providing for appropriations; creating s. 240.2695, F.S.; providing for operating budgets and budget controls; amending s. 240.273, F.S.; providing that funds and property shall be held by the Board of Regents; amending s. 240.277, F.S.; providing for approval of expenditure of vending machine collections; providing an exemption for certain budget entities; amending s. 240.279, F.S.; providing for working capital funds; amending s. 240.281, F.S.; providing for deposit of funds; creating s. 11.063, F.S.; providing that employees may participate in lobbying activities; amending s. 110.205, F.S.; exempting State University System personnel from the career service system; amending s. 255.245, F.S.; providing for rental fees for space in state buildings; amending s. 282.308, F.S.; providing for information technology resource plans; creating s. 240.214, F.S.; allowing for coverage under the state's risk management and safety programs; amending ss. 287.155, 287.20, F.S.; authorizing participation in the state motor

pool; amending s. 447.203, F.S.; providing authority for collective bargaining; repealing ss. 240.225, 240.283, F.S., and 240.285, F.S., as amended, relating to delegations by the Department of General Services, additional compensation, and the transfer of funds; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Jenne—

**CS for SB 636**—A bill to be entitled An act relating to pharmacy; amending s. 465.003, F.S.; redefining the term "prescription"; creating s. 465.186, F.S.; providing for the creation of a committee to establish a formulary of medicinal drugs; providing criteria for the development of the formulary of medicinal drugs; directing the Board of Pharmacy, the Board of Medical Examiners, and the Board of Osteopathic Medical Examiners, to adopt certain rules; providing for reimbursement to pharmacists; providing a penalty; providing for review and repeal; providing an effective date.

By the Committee on Governmental Operations and Senator Gersten—

**CS for SB 653**—A bill to be entitled An act relating to investigative and patrol services; providing an exemption from administrative and criminal penalties for employees of licensees holding class "A", "B", or "GBB" licenses under part I of ch. 493, F.S., under specified conditions; specifying requirements of such exemption; providing for nonapplication of the exemption in certain circumstances; providing that employing agencies shall be subject to administrative and criminal action; providing penalties; providing an effective date.

By the Committee on Commerce and Senators Scott and Margolis—

**CS for SB 660**—A bill to be entitled An act relating to unemployment compensation; amending s. 443.111, F.S., changing the individual maximum weekly benefit amount; providing an effective date.

By the Committee on Commerce and Senator Johnson—

**CS for SB 663**—A bill to be entitled An act relating to insurance; creating s. 627.0652, F.S., requiring premium discounts for motor vehicle insurance for persons of a certain age completing an accident prevention course; providing for duration and termination of premium discounts; requiring the Department of Highway Safety and Motor Vehicles to approve courses for this purpose; providing an effective date.

By the Committee on Commerce and Senator Grant—

**CS for SB 713**—A bill to be entitled An act relating to financial responsibility; amending s. 324.031, F.S.; specifying the amount of any surety bond or deposit which must be met by certain persons to establish financial responsibility and requiring certain excess insurance under certain circumstances; amending s. 324.171, F.S.; providing different qualifications for self-insurance for private passenger and commercial vehicles; providing an effective date.

By the Committee on Commerce and Senator Grant—

**CS for SB 715**—A bill to be entitled An act relating to retail installment contracts; creating ss. 520.085, 520.345, 520.785, F.S., authorizing simple interest retail installment contracts under "The Motor Vehicle Sales Finance Act," "The Retail Installment Sales Act" and the "Home Improvement Sales and Finance Act"; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Crawford—

**CS for SB 726**—A bill to be entitled An act relating to worthless checks and drafts; creating s. 832.08, F.S., authorizing state attorneys to create a bad check diversion program into which persons accused of violating laws relating to the issuance of worthless checks and drafts may be placed as an alternative to prosecution; providing guidelines; providing notice; providing conditions of diversion; providing for fees; providing an effective date.

By the Committee on Commerce and Senator McPherson—

**CS for SB 734**—A bill to be entitled An act relating to insurance; amending s. 624.01, F.S.; increasing the scope of the "Florida Insurance Code"; creating s. 624.125, F.S.; excluding certain motor vehicle service agreements and persons transacting such agreements from the provisions of the Florida Insurance Code; applying the provisions of the Florida Deceptive and Unfair Trade Practices Act to such persons; amending s.

631.52, F.S.; providing that part II of chapter 631, F.S., of the Florida Insurance Code, relating to Florida insurance guaranty of payment, shall not apply to certain types of insurance; amending s. 631.713, F.S.; providing that part III of chapter 631, F.S., relating to life and health insurance guaranty of payment, shall not apply to certain types of insurance; amending s. 634.011, F.S.; excluding certain transactions from the definition of "motor vehicle service agreement"; creating s. 634.023, F.S.; providing for the applicability of certain laws to motor vehicle service agreement companies; amending s. 634.231, F.S.; restricting the transaction of insurance by motor vehicle service agreement companies; creating s. 634.3025, F.S.; providing for the applicability of certain laws to home warranty associations; amending s. 634.325, F.S.; restricting the transaction of insurance by home warranty associations; amending s. 634.401, F.S.; exempting certain motor vehicle service agreements from the definition of "service warranty"; creating s. 634.4025, F.S.; providing for the applicability of certain laws to service warranty associations; amending s. 634.428, F.S.; restricting the transaction of insurance by service warranty associations; creating s. 637.007, F.S.; providing for the applicability of certain laws to optometric service plan corporations; creating s. 637.047, F.S.; restricting the transaction of insurance by optometric service plan corporations; creating s. 637.1707, F.S.; providing for the applicability of certain laws to pharmaceutical service plan corporations; creating s. 637.207, F.S.; restricting the transaction of insurance by pharmaceutical service plan corporations; creating s. 637.402, F.S.; providing for the applicability of certain laws to dental service plan corporations; creating s. 637.431, F.S.; restricting the transaction of insurance by dental service plan corporations; creating s. 638.033, F.S.; providing for the applicability of certain laws to ambulance service associations and providing that any rehabilitation, liquidation, conservation, or dissolution of an ambulance service association insurer shall be under the supervision of the Department of Insurance which shall have certain powers; amending s. 638.241, F.S.; restricting the transaction of insurance by an ambulance service association; creating s. 639.085, F.S.; providing for the applicability of certain laws to the preneed funeral merchandise or service contract business; creating s. 639.13, F.S.; restricting the transaction of insurance by a preneed funeral merchandise or service contract business; creating s. 641.025, F.S.; providing for the applicability of certain laws to health care services plan corporations and providing that any rehabilitative, liquidation, conservation, or dissolution of a health care services plan corporation insurer shall be conducted under the supervision of the Department of Insurance which shall have certain powers; creating s. 641.151, F.S.; restricting the transaction of insurance by health care services plan corporations; creating s. 641.201, F.S.; providing for the applicability of certain laws to health maintenance organizations; creating s. 641.215, F.S.; restricting the transaction of insurance by health maintenance organizations; creating s. 641.4015, F.S.; providing for the applicability of certain laws to prepaid health clinics; creating s. 641.4065, F.S.; restricting the transaction of insurance by prepaid health clinics; creating s. 642.016, F.S.; providing for the applicability of certain laws to legal expense insurance corporations; creating s. 642.022, F.S.; restricting the transaction of insurance by legal expense insurance corporations; creating s. 651.013, F.S.; providing for the applicability of certain laws to providers of continuing care facilities; creating s. 651.014, F.S.; restricting the transaction of insurance by any provider of a continuing care facility; providing for review and repeal; creating ss. 626.882, 626.9181, 627.8281, 634.053, 634.3051, 634.4051, 638.082, 641.4091, 642.024, F.S.; providing that, with respect to certain assets or securities deposited with and held by the Department of Insurance, no judgment creditor or other claimant shall have the right to levy upon said assets or securities; amending s. 651.022, F.S., relating to certificates of authority with respect to continuing care contracts; amending s. 651.023, F.S., relating to feasibility studies with respect to such certificates of authority; amending s. 651.026, F.S.; providing for annual statements by a certain date; providing for an extension; amending s. 651.055, F.S., relating to continuing care agreements; amending s. 651.121, F.S.; increasing the membership on the Continuing Care Advisory Council; providing for review and repeal; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Stuart—

**CS for SB 737**—A bill to be entitled An act relating to podiatry; creating s. 461.0132, F.S.; providing for action by the Board of Podiatry with respect to certain impaired podiatrists; providing for confidentiality of certain information; providing a privilege against civil liability; amending s. 461.0134, F.S.; providing that patients requesting DMSO must be informed as to alternative methods of treatment and their potential for cure, sign a written release of liability, and be informed if DMSO has not

been approved as a treatment or cure by the United States Food and Drug Administration for the disorder for which it is being prescribed; providing for future repeal and sunset review; providing a retroactive effective date.

By the Committee on Natural Resources and Conservation and Senators Mann, McPherson and Grizzle—

**CS for SB 762**—A bill to be entitled An act relating to aquatic preserves; amending s. 258.39, F.S., revising the boundaries of certain aquatic preserves; creating the Guana River Marsh Aquatic Preserve and the Big Bend Seagrasses Aquatic Preserve; amending s. 258.393, F.S.; adding to the land description of the Terra Ceia Aquatic Preserve; providing an effective date.

By the Committee on Governmental Operations and Senator W. D. Childers—

**CS for SB 801**—A bill to be entitled An act relating to legal classification; requiring that Native Americans be designated as such for purposes of national origin identification; defining "Native American"; providing an effective date.

By the Committee on Governmental Operations and Senator Margolis—

**CS for SB 806**—A bill to be entitled An act relating to the State Fire Marshal; amending s. 633.111, F.S.; providing an advance fee for certain reports released by the State Fire Marshal; providing exemptions; providing an effective date.

By the Committee on Education and Senators Peterson, Castor, Neal, Thomas and Mann—

**CS for SB 848**—A bill to be entitled An act relating to educational facilities; amending ss. 235.001, 235.002, 235.011, 235.014, 235.04, 235.054, 235.055, 235.06, 235.15, 235.195, 235.196, 235.197, 235.211, 235.212, 235.26, 235.30, 235.31, 235.32, 235.33, 235.34, 235.41, 235.42, 235.435, F.S.; repealing ss. 235.065, 235.193(4), F.S.; amending the short title; providing legislative intent; providing definitions; providing for functions of the Office of Educational Facilities of the Department of Education; amending the minimum utilization rate for postsecondary classrooms; providing for the disposal of real property by certain educational boards; providing procedures for proposed purchases of real property by certain boards; authorizing certain construction on short-term leased property by the Board of Regents; providing for safety and sanitation standards and inspection of public educational and ancillary plants; deleting provision which empowered a local governing body to reject residential development plans under certain circumstances; providing for the cooperative development and use of facilities by two or more boards under certain circumstances; providing procedures and requirements for requests for moneys to construct certain community educational facilities; amending provisions relating to the use of relocatable facilities and providing for the transfer of title of such facilities; deleting provisions requiring that the state board develop and provide certain prototype design criteria; providing for use of designs for natural or natural and low-energy usage mechanical ventilation in certain new educational facilities under certain circumstances; providing for the adoption of a state uniform building code for educational and ancillary plants; requiring conformity of certain plans to the code; providing for enforcement; providing for the awarding of certain contracts; requiring inspection of certain facilities prior to occupancy or final payment to the contractor; prohibiting local legislation amending the uniform building code after a certain date; providing for supervision and inspection of certain construction; increasing the maximum amount a project may cost to be done on a day-labor basis; deleting certain provisions relating to the advertising and awarding of contracts and prequalification of contractors; requiring contractors to furnish a performance and payment bond; authorizing the expenditure of funds for certain roads and traffic control devices; amending provisions relating to legislative capital outlay budget requests; revising the sources which comprise the Public Education Capital Outlay and Debt Service Trust Fund; revising the method for allocating moneys from the fund; repealing provision relating to maintenance and operation of educational plants; reviving and adopting certain provisions scheduled for repeal; providing for the future repeal of certain provisions; providing a retroactive effective date.

By the Committee on Economic, Community and Consumer Affairs and Senators Crawford, Kirkpatrick and Dunn—

**CS for SB's 862, 740 and 1241**—A bill to be entitled An act relating to engineering; amending s. 471.003, F.S., exempting certain persons from the registration requirements concerning engineering; amending s. 471.015, F.S., providing criteria for licensure by endorsement; amending s. 471.033, F.S., providing for disciplinary proceedings; providing an effective date.

By the Committee on Governmental Operations and Senator Stuart—

**CS for SB 889**—A bill to be entitled An act relating to warrants, vouchers and invoices, processing time limits, and agency compliance; requiring the Department of Banking and Finance to monitor compliance with invoice processing time limits and penalty payments; requiring the department to report compliance rates, late payments, interest payments, and recommended corrective actions to agency heads; requiring the department to develop a computer system to monitor the payment process; providing an effective date.

By the Committee on Commerce and Senator Fox—

**CS for SB 897**—A bill to be entitled An act relating to insurance; creating s. 624.075, F.S.; defining "commercially domiciled insurer"; amending s. 625.301, F.S.; applying part II of chapter 625, relating to investments, to commercially domiciled insurers; amending ss. 628.011, 628.031 and 628.035, F.S., relating to the application of specified provisions; amending s. 628.371, F.S.; revising provisions relating to payment of dividends or distributions by domestic stock insurers; creating ss. 628.520, 628.525, 628.530, 628.535, F.S.; amending s. 607.234, F.S.; providing for change of domicile of a foreign insurer; providing for change of domicile of domestic insurers; providing for the effects of redomestication; providing for the adoption of rules; designating provisions comprising part I of chapter 628, F.S., and creating part II of chapter 628, F.S.; providing for registration of members of insurance holding companies; providing for adoption of rules; providing for injunctions; prescribing sanctions; providing for civil and criminal penalties; providing an effective date.

By the Committee on Governmental Operations and Senator McPherson—

**CS for SB 898**—A bill to be entitled An act relating to ethics for public officers and employees; amending s. 112.3145, F.S.; changing certain deadlines relating to disclosure of financial interests; providing penalties; providing financial disclosure requirements with respect to certain newly appointed officers and employees; amending s. 112.3147, F.S.; providing for certain forms; amending and renumbering s. 111.011, F.S.; requiring filing of a statement of contributions received by elected public officers; amending s. 112.317, F.S.; expanding penalty provisions; creating s. 112.3231, F.S.; providing time limitations for the Commission on Ethics' investigative jurisdiction of violations of the code of ethics; amending s. 112.324, F.S.; expanding procedures on complaints of violations to include cases concerning former public officers or employees; creating s. 112.325, F.S.; prohibiting certain interference, coercion, and intimidation; providing for injunctive relief; providing an effective date.

By the Committee on Commerce and Senator Girardeau—

**CS for SB 909**—A bill to be entitled An act relating to burial of the dead; amending s. 497.006, F.S.; increasing the application fee for establishing a new cemetery; amending s. 497.007, F.S.; providing procedures for acquiring an existing cemetery and requiring payment of a fee; amending s. 497.008, F.S.; providing procedures to be followed and increasing the application fee when an existing cemetery company changes internal control; amending s. 497.009, F.S.; increasing the annual license fee for cemetery companies; amending s. 497.011, F.S.; prescribing a fee for the examination of the financial affairs of a cemetery company; providing an effective date.

By the Committee on Commerce and Senator Kiser—

**CS for SB 927**—A bill to be entitled An act relating to pest control; amending s. 482.226, F.S., relating to written reports of inspections for termites or other wood-destroying organisms; providing an effective date.

By the Committee on Commerce and Senator Deratany—

**CS for SB 960**—A bill to be entitled An act relating to insurance; amending s. 627.4235, F.S., changing the rules applicable to the order of payment of benefits with respect to claims under multiple group health insurance policies and plans having coordination-of-benefits provisions; providing an effective date.



By the Committee on Commerce and Senator Deratany—

**CS for SB 961**—A bill to be entitled An act relating to insurance; amending ss. 627.420, 627.728 and 627.7281, F.S., relating to the definitions of policy and binder with respect to notice of cancellation and non-renewal; providing an effective date.

By the Committee on Commerce and Senator Myers—

**CS for SB 963**—A bill to be entitled An act relating to the Florida Home Equity Conversion Act; amending s. 697.204, F.S., relating to home equity conversion mortgage insurance to revise criteria for eligibility; amending s. 697.205, F.S., providing for recovery from the Home Equity Conversion Mortgage Guaranty Fund; providing an effective date.

By the Committee on Commerce and Senators Thomas, Meek, W. D. Childers, Hill, Fox, Margolis, Vogt, Jenne, Gordon, McPherson, Crawford, Grant and Hair—

**CS for SB 973**—A bill to be entitled An act relating to insurance; amending s. 624.316, F.S., clarifying the scope of department examinations; authorizing acceptance of audited certified accountant's reports in lieu of certain insurer examinations; amending s. 624.407, F.S., increasing minimum capital, surplus, or net trust fund requirements for insurers; amending s. 624.408, F.S., and creating s. 624.4081, F.S., changing the calculation of certain insurer surplus requirements and requiring existing insurers to meet certain surplus requirements; providing a schedule for certain insurers to meet capital, surplus, special surplus or net trust fund requirements; creating s. 624.4095, F.S., authorizing the Department of Insurance to restrict premiums written by an insurer under certain circumstances; amending s. 624.411, F.S., increasing the deposit requirement for domestic and foreign insurers; increasing the maximum amount of discretionary deposit requirements for certain insurers; amending s. 624.413, F.S., requiring that an applicant for an insurance certificate of authority furnish copies of existing and proposed nonfacultative reinsurance contracts; changing provisions relating to the timeliness of insurer examination reports; authorizing acceptance by the department of audited certified public accountant's report in lieu of certified examination reports; amending s. 624.418, F.S., providing for annual determinations of net premiums written to surplus for certain purposes; amending s. 624.424, F.S., requiring certain insurers to provide to the department a certified public accountant's audited financial statement and opinion and other information; providing for maintenance of data and exemptions; creating s. 624.4241, F.S., requiring insurers to file an additional copy of certain reports with the department to be forwarded to the National Association of Insurance Commissioners; providing for payment of certain fees; amending s. 624.610, F.S., requiring submission of copies of reinsurance treaties by ceding insurers to the department; authorizing use of reinsurance consultants and payment therefor; disallowing authority for granting certain reinsurance credits in certain financial statements; amending s. 625.012, F.S., revising premiums in the course of collection which may be allowed as an asset of an insurer; providing definitions; providing restrictions; amending s. 625.52, F.S., changing the types of investments in which insurer deposits may be made; providing additional investment requirements; amending s. 625.55, F.S., revising language relating to custodial arrangements in lieu of insurer deposit requirements; amending s. 625.58, F.S., placing the responsibility for maintaining the market value of deposits on the depositing insurer; providing for optional deposits by insurers; amending s. 626.091, F.S., restricting use of supervisors or managers by certain insurers unless licensed as a supervising or managing general agent; placing responsibility with the insurer for acts of its supervising or managing general agent; exempting surplus lines insurance; amending s. 627.321, F.S., authorizing the department to examine certain insurers and under certain circumstances; amending s. 627.915, F.S., changing a reporting date affecting certain insurers; deleting the scheduled reporting date for products liability insurance; limiting a reporting requirement of the department; amending s. 629.131, F.S., disallowing the use of cash in lieu of certain securities to meet the alternative deposit authorized for reciprocal insurers; providing effective dates.

By the Committee on Commerce and Senator Thomas—

**CS for SB 974**—A bill to be entitled An act relating to insurance; amending s. 631.021, F.S., relating to venue of a summary proceeding against insurers brought under chapter 631, F.S., relating to insolvency; creating s. 631.153, F.S., prohibiting intervention in insurer delinquency proceedings and providing for exclusiveness of the claims procedure regarding the insurer receivership estate; amending s. 631.171, F.S., cor-

recting incorrect cross-references; amending s. 631.193, F.S., providing that a release does not discharge a guaranty association from certain responsibilities and duties; amending s. 631.252, F.S., revising time periods for the continuation of certain insurance policies; amending s. 631.263, F.S., providing for the invalidity of a transfer after the filing of the original petition in any delinquency proceeding; amending s. 631.361, F.S., providing for filing by the department solely in the circuit court in and for Leon County its petition alleging a ground for a delinquency proceeding; limiting the period of the order with respect to the proceeding; providing for an extension; amending s. 631.391, F.S., providing that an order of rehabilitation or liquidation does not operate to release certain persons from the duty to cooperate with the department with respect to any proceeding under chapter 631, F.S.; amending s. 631.57, F.S., providing the method of service of process upon the Florida Insurance Guaranty Association, Incorporated; amending s. 631.717, F.S., restricting the liability of the association; providing the method of service of process upon the Florida Life and Health Insurance Guaranty Association; providing an effective date.

By the Committee on Governmental Operations and Senator Dunn—

**CS for SB 977**—A bill to be entitled An act relating to public records and meetings; amending s. 119.07, F.S.; revising provisions relating to confidentiality of active or former law enforcement personnel records; amending ss. 119.10 and 286.011, F.S.; revising penalties for violation of public records and public meetings provisions; creating ss. 119.13 and 286.0115, F.S.; providing for enforcement by the Commission on Ethics of public record and public meeting provisions; providing for applicability of penalties under s. 112.317, F.S.; providing that actions taken in violation of public meeting provisions are voidable; providing an effective date.

By the Committee on Commerce and Senator Kiser—

**CS for SB 982**—A bill to be entitled An act relating to individual health insurance policies; creating s. 627.6401, F.S., requiring refunds of a portion of certain annual or semiannual premiums paid by persons 64 years of age; providing that the act applies to policies existing, renewed, or issued on or after a specified date; providing an effective date.

By the Committee on Governmental Operations and Senator Stuart—

**CS for SB 996**—A bill to be entitled An act relating to assistance to small business; amending s. 120.54, F.S.; requiring state agencies to include the impact of proposed rules on small business in the economic impact statement required to be prepared prior to the adoption of rules; requiring agencies to take certain actions to reduce the adverse economic impact of rules on small business; establishing additional duties pertaining to small business for the Division of Economic Development of the Department of Commerce; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Fox and Castor—

**CS for SB 1032**—A bill to be entitled An act relating to alcohol, drug abuse, and mental health treatment services for children; providing legislative intent; providing definitions; providing rights of children in treatment; providing for involuntary examination of emotionally disturbed or substance-abusing children; providing for voluntary admission to a residential treatment program; providing for involuntary placement for emotionally disturbed or substance-abusing children; providing for service agreements for residential treatment; providing for judicial and administrative proceedings; providing for hearings, notice, and reports; prohibiting placement of certain children in state mental hospitals; prohibiting operation or use of certain state facilities for children; providing an exception for existing facilities and prohibiting expansion thereof; providing for nonresidential services for children; authorizing the Department of Health and Rehabilitative Services to implement the act; amending ss. 394.459, 394.465, F.S.; providing for expressed and informed consent by a competent minor for treatment; deleting the provision for the education of children in treatment facilities; amending s. 394.467, F.S.; providing that a minor be admitted to a treatment facility involuntarily in the same manner as other patients; amending s. 396.082, F.S.; providing that minors may voluntarily apply for treatment for alcoholism in the same manner as other persons; repealing ss. 394.4781, 394.50-394.62, 397.099, F.S., relating to residential care for psychotic and emotionally disturbed children, children's residential and day treatment centers and the removal of minors' disabilities to obtain rehabilitative or medical treatment; providing effective dates.

By the Committee on Natural Resources and Conservation and Senator Stuart—

**CS for SB 1081**—A bill to be entitled An act relating to environmental protection; providing a short title; providing legislative findings and intent; providing definitions; designating rivers within certain river systems as Florida Resource River Systems; requiring that conceptual resource river management plans be developed by water management districts and other entities and submitted for legislative approval; providing guidelines and procedures for such plan development; requiring that comprehensive resource river management plans be developed by water management districts and other entities and submitted for legislative approval; providing guidelines and procedures for such plan development; amending s. 373.139, F.S.; providing that certain appraisal reports are exempt from the public records law during certain negotiations; amending s. 373.039, F.S.; providing that any resource river management plans are part of the Florida water plan; creating s. 373.584, F.S.; providing for issuance of revenue bonds and bond anticipation notes by water management districts; amending s. 373.59, F.S.; providing for payment of revenue bonds and notes out of specified moneys in the Water Management Lands Trust Fund; deleting the state-to-district ratio for funding of districts; abrogating future repeal of s. 373.59, F.S., which relates to the Water Management Lands Trust Fund; amending s. 201.02, F.S.; providing for an increase in the rate of excise tax on certain documents; abrogating future repeal of section 1 of chapter 81-33, Laws of Florida, which provides for reduction in the tax rate; amending s. 201.15, F.S.; altering the distribution of taxes collected; distributing a portion of the taxes to the Land Acquisition Trust Fund for specific purposes; deleting the revised schedule of future distributions; providing an appropriation; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators Dunn, Deratany, Mann, Frank, Stuart, Gersten, McPherson, Malchon, Fox, Thurman, Grizzle and Castor—

**CS for SCR 1088**—A concurrent resolution to the Secretary of the United States Department of the Interior, urging him to permanently delete certain sensitive environmental and economic areas of the coast of Florida from lease sales.

By the Committee on Governmental Operations and Senator Plummer—

**CS for SB 1094**—A bill to be entitled An act relating to Historic Preservation; amending s. 267.021, F.S.; providing definitions for historic property, historic preservation, and the National Register of Historic Places; amending s. 267.061, F.S.; providing clarification of state policy relative to historic properties; providing for the transfer of responsibility relative to historic properties from the Division of Archives, History and Records Management of the Department of State to state agencies of the executive branch; providing clarification of the historic preservation responsibilities of the Division of Archives, History and Records Management of the Department of State; revising the duties of the State Archaeologist; providing for a State Historic Preservation Officer; providing an effective date.

By the Committee on Natural Resources and Conservation and Senator Stuart—

**CS for SB 1122**—A bill to be entitled An act relating to toxic or hazardous chemicals; amending s. 403.021, F.S., clarifying state policy; providing for assessment of risk potential due to accidental release of toxic or otherwise hazardous substances in accordance with a specified schedule; providing intent; providing definitions; providing for the development of a survey instrument, subject to certain design conditions; providing for collection, compilation, and correlation of information; providing that a claim of trade secret or confidential proprietary information may be made under certain conditions; providing for confidentiality; providing for execution of confidentiality agreements in certain cases and under specified conditions; providing a duty to provide certain information in an emergency; providing conditions; providing for dissemination of certain information to state and local agencies; providing for response and recommendations; providing for reports to the Governor and Legislature; specifying contents; providing for the compilation of a list of toxic or hazardous substances; providing for the compilation of a list of contact persons; providing an expiration date; prohibiting disclosure of information held confidential; providing penalties; providing for construction of the act; providing an appropriation and funding new positions; providing an effective date.

By the Committee on Natural Resources and Conservation and Senator McPherson—

**CS for SB 1171**—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.01, F.S.; defining the term "marine fish"; creating s. 370.0605, F.S.; providing for saltwater fishing licenses; providing fees; providing duties of tax collectors and the Department of Natural Resources; prohibiting certain unlawful uses of a saltwater fishing license; creating s. 370.0606, F.S.; providing for the appointment of subagents for the issuance and sale of saltwater fishing licenses; providing for the disposition of license fees; creating a Marine Resources Conservation Trust Fund; providing for a marine information system; creating additional positions and providing appropriations; providing an effective date.

By the Committee on Agriculture and Senator Crawford—

**CS for SB 1174**—A bill to be entitled An act relating to tax on citrus; creating s. 581.192, F.S.; imposing an excise tax on citrus nursery stock; creating s. 603.131, F.S.; imposing an excise tax on limes and lemons; creating a trust fund and providing for deposit of the proceeds therein; providing for use of such funds; providing for repeal; providing appropriations to the Department of Agriculture and Consumer Services for eradication of citrus canker; providing an effective date.

By the Committee on Commerce and Senator Crawford—

**CS for SB 1273**—A bill to be entitled An act relating to securities transactions; amending s. 517.011, F.S.; redesignating the Florida Investor Protection Act as the Florida Securities and Investor Protection Act; amending s. 517.021, F.S.; providing definitions; amending s. 517.051, F.S.; clarifying language with respect to exempt securities; amending s. 517.061, F.S.; clarifying language regarding exempt transactions; amending s. 517.07, F.S.; providing a termination date for certain exempt securities; amending s. 517.081, F.S.; providing for application fees for registration; creating s. 517.082, F.S.; providing for registration by notification; amending s. 517.111, F.S.; clarifying language with respect to revocation or suspension; amending s. 517.12, F.S.; increasing certain fees; providing that such fees become revenue of the department; creating s. 517.121, F.S.; providing books and records requirements; amending ss. 517.161 and 517.191, F.S.; deleting reference to salesman and substituting reference to associated person; amending s. 517.201, F.S.; providing for examinations and additional subpoena powers of the Department of Banking and Finance; amending s. 517.221, F.S., to provide that all fines collected shall be paid into a regulatory trust fund in the department; amending s. 517.315, F.S., to create a Securities Regulatory Trust Fund into which all fees and charges collected by the department shall be deposited; providing for review and repeal; providing an effective date.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator McPherson, by two-thirds vote SB 171 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Jennings, by two-thirds vote SB 722 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Beard, by two-thirds vote SB 344 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Frank, the rules were waived and by two-thirds vote SB 711 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motions by Senator Neal, by two-thirds vote CS for SB 307 and SB 15 were removed from the calendar and rereferred to the Committee on Appropriations.

On motions by Senator Neal, the rules were waived and by two-thirds vote Senate Bills 291, 568, 647, 549, 1099, 630, HB 401, CS for SB 519, and CS for SB 465 were withdrawn from the Committee on Appropriations.

On motion by Senator Crawford, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to meet May 8 from 3:00 p.m. until 5:00 p.m. and May 9 from 2:00 p.m. until 5:00 p.m.

On motion by Senator Jenne, by two-thirds vote SB 549 was placed on the special order calendar for consideration May 9.

On motion by Senator Jenne, the rules were waived by unanimous consent and the Senate reverted to introduction for the purpose of introducing the following resolution out of order:



## INTRODUCTION AND REFERENCE OF BILLS

By Senators Johnston, Barron, Beard, Carlucci, Castor, D. Childers, W. D. Childers, Crawford, Deratany, Dunn, Fox, Frank, Gersten, Girardeau, Gordon, Grant, Grizzle, Hair, Hill, Jenne, Jennings, Johnson, Kirkpatrick, Kiser, Langley, Malchon, Mann, Margolis, McPherson, Meek, Myers, Neal, Peterson, Plummer, Scott, Stuart, Thomas, Thurman, Vogt and Weinstein—

**SR 1309**—A resolution honoring mothers who, by virtue of their motherhood, have helped make this a prosperous state and nation.

WHEREAS, we owe a debt of gratitude and love to our mothers whose unselfish devotion has taught us appreciation for the ideals upon which this country was founded, and

WHEREAS, mothers, in addition to giving us life, enhance our daily lives through their loving care and understanding and,

WHEREAS, mothers have instilled in us pride in our past and present and hope for our future, and

WHEREAS, May 12, 1985 is designated as Mother's Day, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we, the members of the Senate, do collectively and individually through this resolution express our gratitude and affection for our mothers and the mothers of all Floridians.

—which was read the first time by title. On motion by Senator Jenne, SR 1309 was read the second time in full and adopted. The vote on adoption was:

Yeas—39

Mr. President	Fox	Jennings	Myers
Barron	Frank	Johnson	Neal
Beard	Gersten	Kirkpatrick	Peterson
Carlucci	Girardeau	Kiser	Plummer
Castor	Gordon	Langley	Scott
Childers, D.	Grant	Malchon	Stuart
Childers, W. D.	Grizzle	Mann	Thurman
Crawford	Hair	Margolis	Vogt
Deratany	Hill	McPherson	Weinstein
Dunn	Jenne	Meek	

Nays—None

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State Senate Bills 192, 251 and CS for SB 154.

## Appointments Subject to Confirmation by the Senate:

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

Office and Appointment	For Term Ending
Historic Broward County Preservation Board of Trustees, Member	
Roach, Jr., Cato, Ft. Lauderdale	11/01/88
Historic Key West Preservation Board of Trustees, Member	
Stickney, Edward L., Key West	11/29/88

## Referred to the Committee on Executive Business.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Harry A. Johnston, II, President*

I am directed to inform the Senate that the House of Representatives has passed SB 313, CS for SB 76 and SB 228.

*Allen Morris, Clerk*

The bills contained in the foregoing message were ordered enrolled.

## SPECIAL ORDER

**CS for CS for CS for SB's 122, 84 and 85**—A bill to be entitled An act relating to coastal management; amending s. 163.3177, F.S., relating to elements of the comprehensive plan; changing "coastal zone protection element" to "coastal management element"; providing requirements with respect to the coastal management element of the plan; creating ss. 163.3178, 163.3179, F.S.; providing legislative intent; providing criteria for coastal management elements of the comprehensive plan; directing the state land planning agency to adopt minimum criteria for the review of coastal management elements; directing counties, and municipalities to comply with requirements concerning coastal management elements; providing that port facilities shall not be developments of regional impact where consistent with certain plans; creating part III of chapter 380, F.S., the "Coastal Infrastructure Policy Act"; providing legislative intent; providing definitions; providing for designation of certain undeveloped coastal barrier areas; requiring maps; limiting the use of public funds for certain purposes on undeveloped coastal barrier areas; requiring certain reports; creating part VIII of chapter 553, F.S., the "Coastal Barriers Construction Act"; providing definitions; providing for minimum building codes for structures within the coastal construction building zone; providing for administration and enforcement by local governments; providing remedies; providing for assistance and rulemaking by the Board of Building Codes and Standards of the Department of Community Affairs; providing for Department of Natural Resources review of local building codes; providing for applicability to state and local government permitting; amending s. 161.053, F.S.; providing for challenges to coastal construction control lines; requiring an annual report to the Legislature; restricting permitting for certain structures seaward of the seasonal high water line; redefining the responsibility of the executive director of the department for making recommendations concerning land purchase; amending s. 161.0535, F.S.; amending the criteria for the permit fee schedule; amending s. 161.054, F.S.; expanding the applicability of administrative fines; amending s. 403.813, F.S.; defining the limitations of certain permit exceptions; amending s. 125.0104, F.S.; authorizing certain uses of the tourist development tax; providing an effective date.

—was read the second time by title.

Senator Stuart moved the following amendment which was adopted:

**Amendment 1**—On page 2, line 28 through line 12 on page 11, strike all said lines and renumber subsequent sections.

Senator Deratany moved the following amendments which were adopted:

**Amendment 2**—On page 21, line 22, strike "and" and on line 23, after "gazebo" insert: and coastal or shore protection structures,

**Amendment 3**—On page 34, between lines 24 and 25, insert:

Section 9. Section 161.055, Florida Statutes, is created to read:

161.055. Coastal Properties Disclosure Statement.—

(1) In the event that a permit is issued to build seaward of the coastal construction control line pursuant to court order, the permit procedure in s. 161.053, or for any other reason, the Legislature finds and declares that in order to ensure that the purchasers of interests in real property located in coastal areas, partially or totally seaward of the coastal construction control line as defined in s. 161.053, are fully apprised of the character of the regulation of the real property in such coastal areas, and in particular that such lands are subject to frequent and severe fluctuations, it is necessary and appropriate that the original developer or seller of undeveloped real properties disclose to all purchasers, or potential purchasers, the character of such real properties prior to purchase or agreement to purchase. This section is adopted in order to seek to protect the potential purchasers of interests in real property from misrepresentations as to the suitability of such real property for residential, commercial or industrial use and is in furtherance of the goals and objectives of Chapter 161.

(2) Definitions.

(a) "Interest in real property" means a nonleasehold, legal or other equitable interest in real property or any severable part thereof created by deed, contract, easement, or other instrument.

(b) "Purchaser" means a buyer, transferee, grantee, donee or other party acquiring an interest in real property.

(c) "Real property transaction" means the sale, grant conveyance or other transfer of an interest in real property.

(3) All transactions involving the sale or transfer of real property or interest in real property from the original developer or seller to purchaser of undeveloped real properties located either partially or totally seaward of the coastal construction control line as defined in s. 161.053 shall include in the documents of transaction, the following statement, which shall be known as the Coastal Properties Disclosure Statement:

THE LAND, OR OTHER REAL PROPERTY INTEREST, WHICH IS THE SUBJECT OF THIS TRANSACTION IS LOCATED EITHER PARTIALLY OR TOTALLY SEAWARD OF THE COASTAL CONSTRUCTION CONTROL LINE AS DEFINED IN SECTION 161.053, FLORIDA STATUTES.

THE LAND IS SUBJECT TO FREQUENT AND SEVERE FLUCTUATIONS AS A RESULT OF NATURAL COASTAL PROCESSES WHICH POSE A SEVERE THREAT TO PERSONS AND PROPERTY IN THE AREA, AND MAY RENDER THE PROPERTY UNSUITABLE FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT.

PURSUANT TO SECTION 161.053, FLORIDA STATUTES, NO PERSON, FIRM, CORPORATION OR GOVERNMENTAL AGENCY SHALL CONSTRUCT ANY STRUCTURE WHATSOEVER SEAWARD OF THE COASTAL CONSTRUCTION CONTROL LINE; MAKE ANY EXCAVATION, REMOVE ANY BEACH MATERIAL, OR OTHERWISE ALTER EXISTING GROUND ELEVATIONS; DRIVE ANY VEHICLE ON, OVER, OR ACROSS ANY SAND DUNE; OR DAMAGE OR CAUSE TO BE DAMAGED SUCH SAND DUNE OR VEGETATION GROWING THEREON SEAWARD THEREOF EXCEPT AS PROVIDED IN SECTION 161.053 AND THE IMPLEMENTING RULES THEREOF.

VIOLATORS OF SECTION 161.053 ARE SUBJECT TO CRIMINAL AND CIVIL LIABILITY AS PROVIDED IN CHAPTER 161.

I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND THE FOREGOING STATEMENT.

... (Signature) ...

... (Date) ...

(4) The statement in subsection (3) of this section shall be set forth on a separate sheet of paper which shall be entitled Coastal Properties Disclosure Statement and shall be signed by the purchaser prior to the execution of any instrument committing the purchaser to acquire said real property or to acquire any interest therein.

(5) The following acknowledgment statement from the original developer or seller of undeveloped real properties shall appear on the face of any instrument committing a purchaser or potential purchaser to acquire real property or any interest therein which is partially or totally in coastal areas seaward of the coastal construction control line as defined in s. 161.053 and on the face of any instrument granting, conveying or otherwise transferring any interest in real property which is partially or totally in coastal areas seaward of the coastal construction control line. The acknowledgment statement shall be conspicuously printed, typed or stamped in type as large as the largest type used in the text of the instrument.

I HEREBY CERTIFY THAT I HAVE READ AND SIGNED THE COASTAL PROPERTIES DISCLOSURE STATEMENT REQUIRED FOR THE SALE OF THIS PARCEL OF LAND.

... (Signature) ...

... (Date) ...

(6) The following certification statement from the original developer or seller of undeveloped real properties shall appear on the face of any instrument granting, conveying or otherwise transferring any interest in real property which is partially or totally in coastal areas seaward of a coastal construction control line and shall be signed by the grantor, conveyor or other transferor. The certification statement shall be conspicuously printed, typed or stamped in type as large as the largest type used in the text of the instrument.

I HEREBY CERTIFY THAT I HAVE DISCLOSED THE COASTAL PROPERTIES DISCLOSURE STATEMENT AS REQUIRED BY SECTION 161.055(3), FLORIDA STATUTES, TO THE TRANSFEREE OF THE INTEREST IN REAL PROPERTY DESCRIBED IN THIS INSTRUMENT.

... (Signature) ...

... (Date) ...

(7) Failure to substantially comply with the requirements of subsections (4), (5) and (6) shall:

(a) make the instrument committing the purchaser to acquire real property or any interest therein, in coastal areas seaward of the coastal construction control line as defined in s. 161.053, voidable at the purchaser's option until the time of recordation of any instrument conveying said real property to him; and

(b) make the sale or other transfer of said real property voidable at the purchaser's option, for a period of seven (7) years from the date of recordation of any instrument conveying title or any interest to him of said real property.

(8) The provisions of this section do not apply to any transactions prior to this section's effective date.

Senator Stuart moved the following amendment which was adopted:

**Amendment 4**—In title, on page 1, lines 2-19, strike "amending s. 163.3177, F.S., relating to elements of the comprehensive plan; changing "coastal zone protection element" to "coastal management element"; providing requirements with respect to the coastal management element of the plan; creating ss. 163.3178, 163.3179, F.S.; providing legislative intent; providing criteria for coastal management elements of the comprehensive plan; directing the state land planning agency to adopt minimum criteria for the review of coastal management elements; directing counties, and municipalities to comply with requirements concerning coastal management elements; providing that port facilities shall not be developments of regional impact where consistent with certain plans;" and insert: creating s. 163.3179; requiring the identification of undeveloped coastal barrier areas;

Senator Deratany moved the following amendment which was adopted:

**Amendment 5**—In title, on page 2, line 20, after the semicolon (;) insert: creating s. 161.055, F.S.; requiring certain disclosure upon purchase of coastal property;

On motion by Senator Stuart, by two-thirds vote CS for CS for CS for SB's 122, 84 and 85 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Frank	Kirkpatrick	Peterson
Barron	Gersten	Kiser	Plummer
Beard	Girardeau	Langley	Scott
Carlucci	Grant	Malchon	Stuart
Castor	Grizzle	Mann	Thomas
Childers, D.	Hair	Margolis	Thurman
Childers, W. D.	Hill	McPherson	Vogt
Deratany	Jenne	Meek	Weinstein
Dunn	Jennings	Myers	
Fox	Johnson	Neal	

Nays—None

Vote after roll call:

Yea—Gordon

#### Legislative Intent

**Senator Barron:** Senator Stuart, I want to ask you a question and then I want to ask the President of the Senate to get your answer on the record for legislative intent if I could. You're familiar with lower Okaloosa and lower Walton Counties. The problem there is the fact that you have four-lane roads, the most heavily travelled in the panhandle according to the records from the Department of Transportation, with hundreds of thousands of people travelling at a snail's pace there in the summertime. And you have two four-lane roads, one coming out of Bay and one coming out of Okaloosa, emptying into a two-lane Highway 98, which is the name of that entire coastal highway. In the event of a disaster, people could only escape on that two-lane road. Now my question to you is this, "Is there anything in this legislation that would prohibit the completion of the four-laning and also, maybe widen the road of escape to North 331 across the bay?"

**Senator Stuart:** No.

**Senator Barron:** There's nothing in this legislation? Mr. President, without objection, I would ask that question and answer to be in the record.

On motion by Senator W. D. Childers, the rules were waived by unanimous consent and the Senate reverted to introduction for the purpose of introducing the following resolution out of order:

#### INTRODUCTION AND REFERENCE OF BILLS

By Senator W. D. Childers—

**SR 1312**—A resolution honoring Susan W. Forte and Michael D. Reynolds, Florida's nominees for the NASA Teacher in Space Project.

WHEREAS, a citizen advisory panel recommended to NASA and the President that a "communicator" be selected as the first private citizen to participate in a shuttle flight, and

WHEREAS, because teachers are routinely communicators of knowledge and experience to large numbers of students, parents, and community members, it was determined that selecting a teacher provided an opportunity for recognizing the centrality of education to the nation and for honoring the role that teachers play in that endeavor, and

WHEREAS, the teacher selected will play an important role both as a symbol of the teaching profession and, following the flight, as a teacher of the public at large about the experience of space flight, and

WHEREAS, Florida's nominees for the NASA Teacher in Space Project exemplify the high standards of professionalism and excellence set by the educators in Florida's schools, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Senate, on behalf of the people of Florida, congratulates Susan W. Forte and Michael D. Reynolds on their nominations to participate in the Teacher in Space Project.

BE IT FURTHER RESOLVED that copies of this resolution, signed by the President of the Senate, with the Seal of the Senate affixed, be presented to Susan W. Forte and Michael D. Reynolds in recognition of their distinctive accomplishments.

—which was read the first time by title. On motion by Senator W. D. Childers, SR 1312 was read the second time in full and unanimously adopted.

Senator W. D. Childers escorted Susan W. Forte and Michael D. Reynolds to the rostrum and the President presented a copy of the resolution to them.

#### CONSIDERATION OF RESOLUTION

On motions by Senator Thurman, the rules were waived and by two-thirds vote SR 1277 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Thurman—

**SR 1277**—A resolution honoring JoAnne Smith, president of the National Cattlemen's Association, for her outstanding contributions to Florida's cattle industry.

WHEREAS, JoAnne Smith has served the Florida agriculture industry as past President of the Florida CowBelles, as Vice-President of the American National CowBelles, Regional Vice-President of the American National Cattlemen's Association, and as a leader in the promotion of the beef industry on the state and national level, and

WHEREAS, JoAnne Smith and her husband, Cedrick M. Smith, Jr., are fifth-generation ranchers, actively managing an 8,000 acre cattle ranch in north Marion County, Florida, and, with their son, Marty, and daughter, Terry, are continuing to carry on the tradition of an important Florida industry, and

WHEREAS, JoAnne Smith has been and continues to be active in local and state agricultural organizations, including membership on the Advisory Panel to the Senate Agriculture Committee, as well as other civic and community organizations, and

WHEREAS, JoAnne Smith, as President of the 37,000-member American National Cattlemen's Association, has gained national recognition as a business woman and Florida rancher, and

WHEREAS, the citizens of the State of Florida recognize JoAnne's significant role in the cattle industry and Florida's agricultural industry and her noteworthy achievement as the first woman to be elected to this position in the American National Cattlemen's Association, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That Ms. JoAnne Smith is commended for her outstanding efforts and achievements on behalf of the cattle industry in the State of Florida.

BE IT FURTHER RESOLVED, that a copy of this resolution, with the seal of the Senate affixed, be presented to Ms. JoAnne Smith as a token of the esteem of the Florida Senate for her contributions to the State of Florida.

—was taken up out of order by unanimous consent, read the second time in full and unanimously adopted.

Senator Thurman introduced Mr. and Mrs. Smith and escorted them to the rostrum where the President presented them with a copy of the resolution.

#### SPECIAL ORDER, continued

##### Senator Myers presiding

**SB 329**—A bill to be entitled An act relating to outdoor advertising; amending s. 479.107, F.S.; providing for the removal of certain signs by the Department of Transportation; providing for notice under certain circumstances; providing a definition; amending s. 479.26, F.S.; requiring certain sign owners to enter into agreements with the department regarding the size of on-premise signs in order to display a sign on a specific information panel; exempting certain businesses from this requirement; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 329 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Beard	Frank	Langley	Plummer
Carlucci	Grant	Malchon	Scott
Castor	Grizzle	Mann	Stuart
Childers, D.	Hill	Margolis	Thomas
Childers, W. D.	Jenne	McPherson	Thurman
Deratany	Jennings	Meek	Vogt
Dunn	Johnson	Neal	Weinstein
Fox	Kirkpatrick	Peterson	

Nays—None

Vote after roll call:

Yea—Gersten, Gordon, Hair

**SB 951**—A bill to be entitled An act relating to the naming of state buildings; directing the Board of Regents of the Division of Universities of the Department of Education to name the grounds and building occupied by the Florida State University Circus at Florida State University the "Jack Haskin Circus Complex"; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 951 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Beard	Frank	Kirkpatrick	Peterson
Carlucci	Gordon	Langley	Plummer
Castor	Grant	Malchon	Scott
Childers, D.	Grizzle	Mann	Stuart
Childers, W. D.	Hair	Margolis	Thomas
Deratany	Hill	McPherson	Thurman
Dunn	Jennings	Meek	Vogt
Fox	Johnson	Neal	Weinstein

Nays—None

Vote after roll call:

Yea—Gersten, Jenne

**CS for SB 26**—A bill to be entitled An act relating to education; creating s. 240.4066, F.S.; establishing a Masters' Fellowship Loan Program for Teachers; defining the purpose of the program; providing for the development of Masters' Programs for Teachers at universities in this state; providing for the development of a program; prescribing criteria for eligibility; providing for awards; providing for certification by the Department of Education; requiring loan recipients to teach in critical shortage areas for a specified period of time; providing for reimbursement of the fellowship loan; providing rulemaking powers; providing an effective date.

—was read the second time by title.

Senator Castor moved the following amendments which were adopted:

**Amendment 1**—On page 3, between lines 11 and 12, insert:

Section 2. Section 240.4067, Florida Statutes is created to read:

240.4067 Medical Education Loan Reimbursement Program.

(1) In order to encourage qualified medical personnel to practice in underserved areas of this state in which physician shortages exist, there is established the Medical Education Loan Reimbursement Program. The primary function of the program shall be to make repayments towards loans received by students from federal programs or commercial lending institutions for the support of studies leading to a medical degree at an accredited, recognized Florida medical school.

(2) From the funds available, the Department of Education is authorized to make loan principal repayments to selected physicians as follows:

(a) Up to \$5,000 per year or an amount equivalent to the annual tuition and fees paid by the loan recipient during the last year of medical school, whichever is greater, for up to three years.

(b) Eligible applicants shall have completed their medical studies after July 1, 1987.

(c) All repayments shall be contingent on continued proof of full-time practice in an underserved area identified by the Department of Health and Rehabilitative Services. In addition to identification of appropriate sites, the Department of Health and Rehabilitative Services shall be responsible for eliciting civic and local governmental support for the physician and for liaison with county public health units which have been designated as appropriate practice sites.

(d) Repayments shall be limited to licensed physicians who have been trained in and agree to practice a primary care specialty.

(3) The Department of Education and Department of Health and Rehabilitative Services are authorized to promulgate any rules necessary for the administration of this program.

(4) The Department of Education shall submit a budget request to the Legislature for support for this program beginning with the 1987-88 fiscal year.

(Renumber subsequent sections.)

**Amendment 2**—On page 1, line 15, after the semicolon (;) insert: creating the Medical Education Loan Repayment Program; providing for grants to eligible physicians to repay certain loans; providing for rules; providing for budgets;

On motion by Senator Castor, by two-thirds vote CS for SB 26 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

Beard	Frank	Johnson	Peterson
Carlucci	Girardeau	Langley	Plummer
Castor	Gordon	Malchon	Scott
Childers, D.	Grant	Mann	Stuart
Childers, W. D.	Grizzle	Margolis	Thomas
Crawford	Hair	McPherson	Thurman
Deratany	Hill	Meek	Vogt
Fox	Jennings	Neal	Weinstein

Nays—None

Vote after roll call:

Yea—Dunn, Gersten, Jenne

On motion by Senator Scott, the rules were waived by unanimous consent and the Senate reverted to introduction for the purpose of introducing the following resolution out of order:

#### INTRODUCTION AND REFERENCE OF BILLS

By Senator Scott—

**SR 1305**—A resolution commending the 1985 state MATHCOUNTS competition champions and commending the sponsors of the competition.

WHEREAS, the future of engineering and science in this state and throughout the United States depends on a continuing supply of young people who are both enthusiastic about and excellent in mathematics, and

WHEREAS, the State of Florida is seeking to improve the mathematical abilities of its students and to raise the level of its educational system to the top quartile in the nation, and

WHEREAS, middle school and junior high school students are forming life-long attitudes toward mathematics, science, and technology, and

WHEREAS, young people require early motivation and recognition from peers and the public if they are to meet the challenge of excelling in mathematics and planning for careers that depend on expertise in mathematics, and

WHEREAS, MATHCOUNTS, a coaching and competitive project of the Florida Engineering Society and the National Society of Professional Engineers, provides an opportunity for seventh and eighth grade students to both advance and exhibit their mathematics expertise, and

WHEREAS, hundreds of seventh and eighth grade Florida students in 1985 became more involved in and enthusiastic about mathematics a result of the MATHCOUNTS experience at school, regional, and state levels, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate commends the sponsors of the MATHCOUNTS competition for their efforts to encourage excellence in mathematics, and commends the following 1985 MATHCOUNTS champions of the state of Florida:

Lawrence Carson, Plantation Middle School, Plantation;  
Richard Davis, Stanton College Preparatory, Jacksonville;  
Steven Friedland, Plantation Middle School, Plantation;  
David Nations, Pine View School, Sarasota; and  
Burt Kaufman, their coach, Plantation Middle School, Plantation,

and wishes them well in the national competition to be held this month in Washington, D.C.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to the 1985 MATHCOUNTS champions and to their coach Burt Kaufman as a tangible token of the sentiments of the Florida Senate.

—which was read the first time by title. On motion by Senator Scott, SR 1305 was read the second time in full and unanimously adopted.

#### SPECIAL ORDER, continued

**CS for SB 416**—A bill to be entitled An act relating to the Judicial Administrative Commission; amending s. 43.16, F.S., renaming and changing the composition and duties of the commission; directing that changes in terminology in the Florida Statutes be made; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote CS for SB 416 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Barron	Fox	Jennings	Peterson
Beard	Frank	Johnson	Scott
Carlucci	Girardeau	Langley	Stuart
Castor	Gordon	Malchon	Thomas
Childers, D.	Grant	Mann	Thurman
Childers, W. D.	Grizzle	Margolis	Vogt
Crawford	Hair	McPherson	Weinstein
Deratany	Hill	Meek	
Dunn	Jenne	Neal	

Nays—None

Vote after roll call:

Yea—Gersten, Plummer

**The President presiding**

**SB 316**—A bill to be entitled An act relating to governmental reorganization; amending s. 290.046, F.S.; transferring the economic development program of the Florida Small Cities Community Development Block Grant Program from the Department of Commerce to the Department of Community Affairs; repealing s. 290.045, F.S., relating to authority for an interagency agreement between the Department of Community Affairs and the Department of Commerce; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations recommended the following amendments which were moved by Senator Frank and adopted:

**Amendment 1**—On page 1, between lines 14 and 15, insert a new Section 1 to read:

Section 1. Subsection (3) of section 290.044, Florida Statutes, is amended to read:

290.044 Florida Small Cities Community Development Block Grant Program Fund; administration; distribution.—

(3) The department shall define the broad community development objective to be achieved by the activities in each of the following program categories, and require applicants for grants to compete against each other in these program categories:

- (a) Housing.
- (b) Economic development.
- (c) Neighborhood ~~and commercial~~ revitalization.
- (d) *Commercial revitalization.*

**Amendment 2**—On page 1, strike all of lines 15-19 and insert:

Section 2. Paragraphs (a) and (b) of subsection (2) and paragraph (a) of subsection (3) of section 290.046, Florida Statutes, are amended to read:

290.046 Applications for grants; procedures; requirements.—

(2)(a) Each eligible local government may submit an application for a grant under *either* the housing *program category* ~~or~~ *and* the neighborhood ~~and commercial~~ revitalization *program category* ~~categories~~ during each annual funding cycle.

**Amendment 3**—On page 2, between lines 6 and 7, insert:

(3)(a) Each application shall be ranked competitively based on community need and program impact. Community need shall be weighted 25 40 percent. Program impact shall be weighted 65 50 percent. Outstanding performance in equal opportunity employment and housing shall be weighted 10 percent.

(Renumber subsequent sections.)

**Amendment 4**—In title, on page 1, line 2, strike “governmental reorganization” and insert: the Florida Small Cities Community Development Block Grant Program; amending s. 290.044, F.S., revising distribution categories.

**Amendment 5**—In title, on page 1, line 7, after the semicolon (;) insert: revising weights assigned competitive selection components and altering the program categories to which local governments may apply for grants;

On motion by Senator Frank, by two-thirds vote SB 316 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Kiser	Plummer
Beard	Girardeau	Langley	Scott
Carlucci	Gordon	Malchon	Stuart
Castor	Grant	Mann	Thomas
Childers, D.	Grizzle	Margolis	Thurman
Childers, W. D.	Hair	McPherson	Vogt
Crawford	Hill	Meek	Weinstein
Deratany	Jennings	Myers	
Dunn	Johnson	Neal	
Fox	Kirkpatrick	Peterson	

Nays—None

Vote after roll call:

Yea—Gersten, Jenne

On motion by Senator Kirkpatrick, the rules were waived and the Senate reverted to—

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Harry A. Johnston, II, President*

I am directed to inform the Senate that the House of Representatives has adopted HCR 1343 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Martin and Mills—

**HCR 1343**—A resolution honoring the University of Florida Fighting Gator Football Team and applauding its national distinction as Southeastern Conference Football Champions for the 1984/1985 Season.

—which was read the first time in full and referred to the Committee on Rules and Calendar.

On motion by Senator Kirkpatrick, by two-thirds vote HCR 1343 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Kirkpatrick, HCR 1343 was taken up out of order by unanimous consent, and by two-thirds vote read the second time by title, unanimously adopted and certified to the House.

Senator Kirkpatrick introduced the following representatives of the University of Florida to the Senate: President and Mrs. Marshall Criser; Coach and Mrs. Galen Hall; members of the team Kerwin Bell, James Massey and Tony Jones; and trainer Tom Sharkey; all of whom were escorted to the rostrum by Senator Kirkpatrick and Rules and Calendar staff director Sylvia Alberdi. Senator Kirkpatrick presented a Gator shirt to President Johnston on behalf of the University of Florida football team.

**SPECIAL ORDER, continued**

**SB 450**—A bill to be entitled An act relating to state parks; creating s. 258.015, F.S.; providing for establishment of citizen support organizations operating for benefit of the state park system or individual units of the state park system; defining a citizen support organization; providing for the activities of such organizations; authorizing the use of property and facilities of the state park system by such organizations; providing requirements and restrictions; requiring an annual audit to be reviewed by the Auditor General and the Department of Natural Resources; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations recommended the following amendment which was moved by Senator Frank and adopted:

**Amendment 1**—On page 2, lines 14, 24, and 26, before “property” insert: fixed

Senator Carlucci moved the following amendment which failed:

**Amendment 2**—On page 2, line 13, strike “, without charge,”

The Committee on Governmental Operations recommended the following amendment which was moved by Senator Frank and adopted:

**Amendment 3**—In title, on page 1, line 9, before "property" insert: fixed

On motion by Senator Frank, by two-thirds vote SB 450 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Mr. President	Girardeau	Kiser	Peterson
Beard	Gordon	Langley	Plummer
Childers, D.	Grant	Malchon	Scott
Childers, W. D.	Grizzle	Mann	Stuart
Crawford	Hair	Margolis	Thomas
Deratany	Hill	McPherson	Thurman
Dunn	Jennings	Meek	Vogt
Fox	Johnson	Myers	Weinstein
Frank	Kirkpatrick	Neal	

Nays—1

Carlucci

Vote after roll call:

Yea—Gersten, Jenne

On motion by Senator Thurman, the rules were waived and the Senate reverted to—

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Harry A. Johnston, II, President*

I am directed to inform the Senate that the House of Representatives has adopted HCR 1172 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Hodges and others—

**HCR 1172**—A concurrent resolution honoring JoAnne Smith, president of the National Cattlemen's Association, for her outstanding contributions to Florida's cattle industry.

—was read the first time in full. On motions by Senator Thurman, by two-thirds vote HCR 1172 was placed on the calendar and by two-thirds vote read the second time by title, unanimously adopted and certified to the House.

*The Honorable Harry A. Johnston, II, President*

I am directed to inform the Senate that the House of Representatives has adopted HCR 1360 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Hazouri and others—

**HCR 1360**—A concurrent resolution commending Mike Reynolds, Florida and Duval County Teacher of the Year, as Florida's nominee as National Teacher of the Year and as one of Florida's nominees for the NASA Teacher in Space Project.

—was read the first time in full. On motions by Senator W. D. Childers, by two-thirds vote HCR 1360 was placed on the calendar and by two-thirds vote read the second time by title, unanimously adopted and certified to the House.

#### SPECIAL ORDER, continued

**CS for CS for SB 247**—A bill to be entitled An act relating to older volunteers; directing the Department of Health and Rehabilitative Services to initiate a volunteer service credit program; directing the department to adopt rules; requiring a report; providing for demonstration service credit programs; providing an appropriation; providing an effective date.

—was read the second time by title. On motion by Senator Fox, by two-thirds vote CS for CS for SB 247 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Girardeau	Kiser	Plummer
Beard	Gordon	Langley	Scott
Carlucci	Grant	Malchon	Stuart
Childers, D.	Grizzle	Mann	Thomas
Childers, W. D.	Hair	Margolis	Thurman
Crawford	Hill	Meek	Vogt
Deratany	Jennings	Myers	Weinstein
Fox	Johnson	Neal	
Frank	Kirkpatrick	Peterson	

Nays—None

Vote after roll call:

Yea—Dunn, Gersten, Jenne

**CS for SB 419**—A bill to be entitled An act relating to administrative procedures; amending s. 120.53, F.S.; providing that the formal written protest shall include particular parts; providing for model rules; providing for expedited hearing; providing an appropriation; providing an effective date.

—was read the second time by title. On motion by Senator Deratany, by two-thirds vote CS for SB 419 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Girardeau	Langley	Plummer
Beard	Gordon	Malchon	Scott
Carlucci	Grant	Mann	Stuart
Childers, D.	Grizzle	Margolis	Thomas
Childers, W. D.	Hair	McPherson	Thurman
Crawford	Hill	Meek	Vogt
Deratany	Jenne	Myers	
Dunn	Jennings	Neal	
Fox	Johnson	Peterson	

Nays—None

Vote after roll call:

Yea—Gersten

On motion by Senator Weinstein, the rules were waived and former Representative Elaine Bloom was accorded privileges of the floor during consideration of SR 1310.

**SB 280**—A bill to be entitled An act relating to theft; amending s. 812.014, F.S.; providing that theft of any livestock is grand theft of the second degree and a felony of the third degree; providing penalties; providing an effective date.

—was read the second time by title.

Senator Langley moved the following amendment which was adopted:

**Amendment 1**—On page 1, line 16, strike "\$100" and insert: \$300

On motion by Senator W. D. Childers, by two-thirds vote SB 280 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fox	Johnson	Neal
Beard	Frank	Kirkpatrick	Peterson
Carlucci	Girardeau	Langley	Plummer
Castor	Gordon	Malchon	Scott
Childers, D.	Grant	Mann	Stuart
Childers, W. D.	Grizzle	Margolis	Thomas
Crawford	Hair	McPherson	Thurman
Deratany	Hill	Meek	Vogt
Dunn	Jennings	Myers	Weinstein

Nays—None

Vote after roll call:

Yea—Gersten, Jenne



**SB 373**—A bill to be entitled An act relating to theft or destruction of honeybee fixtures; creating s. 586.145, F.S., providing enhanced penalties for any offense involving the theft or destruction of any fences, property, or beekeeping fixtures or equipment in or around the hives or extracting and storage facilities of any producer of honey located in the state; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Criminal recommended the following amendments which were moved by Senator W. D. Childers and adopted:

**Amendment 1**—On page 1, lines 13-31, strike everything after the enacting clause and insert:

Section 1. Section 586.145, Florida Statutes, is created to read:

586.145 Pilot program created; apiary protection devices.—

(1) There is hereby created a 3-year pilot apiary protection program which shall be administered by the Game and Fresh Water Fish Commission operating under a signed agreement in conformance with the provisions of this section. The purpose of the pilot program is to determine whether or not battery-operated electric apiary protection devices are effective in preventing destruction to apiaries caused by bears and to determine whether or not there is a distinction in the occurrence of theft between private and state-owned devices.

(2) The Game and Fresh Water Fish Commission shall place one state-owned battery-operated electric apiary protection device in Baker, Collier, Franklin, Hernando and Volusia Counties, respectively. Each such device shall be clearly and distinctly identified as state-owned. For each such device which is destroyed or stolen, the Game and Fresh Water Fish Commission shall replace it for a total of as many as 15 devices during the 3-year period of the pilot program.

(3) The Florida Beekeepers Association shall place one battery-operated electric apiary protection device in Baker, Collier, Franklin, Hernando and Volusia Counties, respectively. Each such device shall be clearly and distinctly identified as owned by the association. For each such device which is destroyed or stolen, the beekeeper shall replace it for a total of as many as 15 devices during the 3-year period of the pilot program.

(4) The signed agreement between the Game and Fresh Water Fish Commission and the Florida Beekeepers Association required by subsection (1) shall include a provision as to who shall be responsible for checking the devices and how often a check must be made.

Section 2. This act shall take effect October 1, 1985.

**Amendment 2**—In title, on page 1, lines 1-11, strike everything before the enacting clause and insert: A bill to be entitled An act relating to bees; creating s. 586.145, F.S., creating a 3-year pilot apiary protection program; providing for administration; providing for the placement of battery-operated apiary protection devices in certain counties; providing an effective date.

On motion by Senator W. D. Childers, by two-thirds vote SB 373 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Gersten	Kirkpatrick	Peterson
Carlucci	Girardeau	Langley	Scott
Childers, D.	Gordon	Malchon	Stuart
Childers, W. D.	Grant	Mann	Thomas
Crawford	Grizzle	Margolis	Thurman
Deratany	Hair	McPherson	Vogt
Dunn	Hill	Meek	
Fox	Jennings	Myers	
Frank	Johnson	Neal	

Nays—None

Vote after roll call:

Yea—Jenne

By the Committee on Governmental Operations and Senators Girardeau and Gordon—

**CS for SB's 346 and 575**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S., providing an exemption for records relating to active and former law enforcement officers and their families; providing for confidentiality of appraisals, offers, counteroffers, and related reports in connection with the acquisition of real property by state agencies; providing procedures and limitations with regard to the confidentiality of such records; providing a definition; providing that this act shall not apply in the case of other inconsistent provisions of law; providing for future repeal; providing an effective date.

—was read the first time by title and Senate Bills 346 and 575 were laid on the table.

On motions by Senator Carlucci, by two-thirds vote CS for SB's 346 and 575 was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Frank	Johnson	Neal
Beard	Gersten	Kirkpatrick	Peterson
Carlucci	Girardeau	Langley	Plummer
Childers, D.	Gordon	Malchon	Scott
Childers, W. D.	Grant	Mann	Stuart
Crawford	Grizzle	Margolis	Thomas
Deratany	Hair	McPherson	Thurman
Dunn	Hill	Meek	Vogt
Fox	Jennings	Myers	Weinstein

Nays—None

Vote after roll call:

Yea—Jenne

By the Committee on Commerce and Senator Meek—

**CS for SB 400**—A bill to be entitled An act relating to insurance; amending s. 627.351, F.S.; authorizing the Department of Insurance to adopt a joint underwriting plan for certain burglary and theft risks; providing for the recoupment of deficits in the plan; requiring the adoption of rates and rating classifications; authorizing excess coverage; requiring the participation of all property and casualty insurers; providing conditions on implementing the plan; providing an effective date.

—was read the first time by title and SB 400 was laid on the table.

On motion by Senator Meek, by two-thirds vote CS for SB 400 was read the second time by title.

Senator Meek moved the following amendment which was adopted:

**Amendment 1**—On page 1, line 26, after the comma (,) insert: *provided that the scope of coverage offered by the plan shall be limited by the department to the type of coverage offered by the Federal Crime Insurance Program pursuant to 44 United States Code, sections 80-83 as such program existed on May 1, 1985,*

On motion by Senator Meek, further consideration of CS for SB 400 as amended was deferred.

On motion by Senator Weinstein, the rules were waived by unanimous consent and the Senate reverted to introduction for the purpose of introducing the following resolution out of order:

## INTRODUCTION AND REFERENCE OF BILLS

By Senator Weinstein—

**SR 1310**—A resolution relating to Days of Remembrance of the Victims of the Holocaust.

WHEREAS, 40 years ago, 6 million Jews were murdered in the Nazi Holocaust as part of a systematic program of genocide, and millions of other people perished as victims of Nazism, and

WHEREAS, the people of the State of Florida should always remember the atrocities committed by the Nazis so that such horrors will never be repeated, and

WHEREAS, the people of the State of Florida should continually rededicate themselves to the principle of equal justice for all people, and

WHEREAS, the people of the State of Florida should remain eternally vigilant against all tyranny and recognize that bigotry provides a breeding ground for tyranny to flourish, and

WHEREAS, April 18 was designated internationally, and pursuant to an act of Congress, as a Day of Remembrance of Victims of the Nazi Holocaust and is known as Yom Hashoah, and

WHEREAS, May 8, 1985 marks the 40th Anniversary of the destruction of Nazism in Europe, which brought to an end the brutality of the Nazi death machine and allowed for the liberation of the concentration camp victims and military and civilian prisoners-of-war, and

WHEREAS, May 8th is known as V-E Day, the date which marked the end of the battles of World War II in Europe as the Allied forces claimed our victory in Europe, and

WHEREAS, hundreds of thousands of American servicemen perished during World War II to preserve our democratic way of life and to keep the battles away from our shores, and

WHEREAS, it is appropriate for the people of the State of Florida to join in these international commemorations, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate does hereby proclaim that, in memory of the victims of the Holocaust, and in the hope that we will strive always to overcome prejudice and inhumanity through education, vigilance, and resistance, we hereby salute and commend the many important events and activities which were conducted by communities throughout the State of Florida during the week of April 14 through April 21, 1985, the period designated as the Days of Remembrance of the Victims of the Holocaust, and that we honor those people who, as survivors, liberators or protectors, helped to keep alive the highest ideals of mankind through their examples of hope, courage and humanity, and that we commend all of the events in Florida and nationwide which are commemorating V-E Day, May 8th, and reminding us of its true and urgent lessons.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Mrs. Lois Chepenik, President of the Florida Association of Jewish Federations, to Mr. and Mrs. Ignacy Berezin, representing Holocaust survivors, to Mr. Don Wedewer, representing liberators of Holocaust victims, and to Mrs. Arabella Klopfer, representing the protectors of those who would have become victims of the Holocaust, as tangible tokens of the sentiments of the members of the Florida Senate.

—which was read the first time by title. On motion by Senator Weinstein, SR 1310 was read the second time in full and unanimously adopted.

On motions by Senator Jenne the following remarks were published in the Journal:

**Senator Weinstein:** Thank you, Mr. President. As you know, today, or I should say this week really, marks several important observances—not only the 40th anniversary of the end of World War II, in Europe particularly, but the liberation of the concentration camps which shocked the world, and I would just like to make a few remarks about that today. First, the Nazi Holocaust in which millions of innocent men, women and children were murdered, was an event which must not be forgotten and that's the reason we have chosen to annually commemorate this remembrance. And it leaves us with lessons of universal implication.

I might add that many of us, such as myself, weren't even alive then and we say, "How could people have permitted these things to happen?" But all we have to do is ask the world "How do we permit total starvation in countries like Ethiopia?" It's almost the same type of thing. We have to be responsible and remind ourselves how important it is to be responsible for our fellow man. And I think that is really the lesson we're trying to remember—that we can't shut our eyes to the atrocities of the past or else we will be doomed to look at atrocities in the future.

The people we are honoring today are the survivors, liberators and protectors. I'd like to introduce them, Mr. and Mrs. Ignacy Berezin of Tallahassee—and you will forgive me, because I don't think anyone could pronounce your names properly—are survivors of the Holocaust who were born in Poland and lost dozens of their family members, including their young daughter—all killed by the Nazis.

We have with us—symbolizing those who were the liberators—Mr. Don Wedewer of Tallahassee, a man who may be known to many of you pro-

fessionally. He is the Director of the Division of Blind Services. Mr. Wedewer was a liberator of the concentration camps. Forty years ago he was wounded and hospitalized while fighting with the 1st Army in Germany. His unit was caught by the Waffen SS at Malmedy, where many of his comrades were massacred. His hospital was almost captured as well. When he recovered as well as he could from his injuries, he rejoined the remnants of his unit and helped open the gates of the concentration camps. He also helped liberate several German prisoner-of-war camps, including the one in which his own brother was imprisoned. He gave quite a bit and we honor you, Mr. Wedewer, as we do all of the veterans of World War II, for the valiant part they played in bringing peace and freedom to the world.

And, symbolizing the few righteous people who tried to protect those who were doomed, is Mrs. Arabella Klopfer, who unfortunately took ill and was unable to attend. But, as a young woman, she worked with Raoul Wallenberg in Budapest, helping to save Jews from the streets and into the safe houses established under Wallenberg's Swedish immunity.

I would like to introduce also Reverend Charles Eastman, Director of the United Protestant Appeal, who is on the podium with you, Mr. President, and Rabbi Herbert Tobin, who is Assistant Director of the South Broward Jewish Federation. They are going to be hosting a legislative workshop this afternoon and at lunchtime would invite every member of the Senate to attend. We appreciate your visit to Tallahassee for this opportunity to remember what we must never forget and this opportunity to rededicate ourselves to the concern for our fellow man.

And, former State Representative Elaine Bloom, for whom we had to waive the rules to allow on the floor today because she is a lobbyist. She does a wonderful job of representing the Jewish Federation and she put this entire remembrance together. When you work with somebody so closely, you always introduce the guests, but not the person we know so well who deserves great credit for the work done, not only in helping us remember these things, but in helping us to remember as well, our social obligations as we go through the budgetary process. Thank you, Elaine.

**Mr. President:** Senator Weinstein, thank you very much for a very eloquent presentation. Ladies and gentlemen, this has been a very melancholy week for all of us and we do remember the Holocaust and we thank you for coming here today to remind us of it. I would like to give each of you a copy of the resolution.

**Senator Frank:** Mr. President, I would like to thank Senator Weinstein and former Representative Elaine Bloom and those who participated in this event this morning. I think it has particular significance to us because of the controversy this week, in terms of the President's visit to Bitburg. Mr. Wedewer, my husband was also one of the liberators as a young boy of 18. Six weeks beyond his 18th birthday and in the final days of the Battle of the Bulge he then went to the prison camps and saw the individuals who had been placed there. I think it is well for us to remember that those who were in prison camps were not all Jewish persons, that in fact, among the midst of those who were imprisoned there were a good number of people of other religious faiths. And one significant individual who should go down in history was a priest, Maximilian Kolbe.

Maximilian Kolbe stood among some prisoners one morning when the Waffen SS commandant went among the group of people and chose individuals he wanted to select for death. He passed Maximilian Kolbe by, but he pointed his finger at an individual and said, "You go." He was picking ten that morning because there had been an escape at Auschwitz and he was punishing those who were behind it, hoping that they would never do it again. The individual he pointed the finger to sobbed and said, "But I have a child and I have a family and I have a wife. Please don't do this." Maximilian Kolbe stepped forward and said "Take me instead, I don't have a wife and I don't have children." And he went into the prison where he was to be left to the fate of starving to death, which was the way that they had people die because it cost less. And so he starved, day by day. It took longer for him than it did for other people, probably because of his strong faith. And, finally they couldn't kill him by starvation so they came in and injected him with carbolic acid, and he did finally die. But when they went in to look at his body, it had an aura of peace and quiet about it and a tranquility, and everyone knew he was a special person.

In 1982, Pope John Paul II canonized Maximilian Kolbe. And, at that event, he called together some of the people who had been in the prison camps. One hundred priests, bishops, and monsignors were present. They

had been in the prison camps of Germany, suffering along with the rest, doing many of the things similar to Maximilian Kolbe's ultimate sacrifice. It was a horrible war. The extermination of the Jewish people was something that should never, ever be forgotten. But also, it was a war against everyone's freedom and right to exist. Every one of us should share in the outrage of the Holocaust, regardless of what faith we are and we should honor those who liberated the German people from an oppression that was almost the same, and in some cases, the same as death.

On motion by Senator Kirkpatrick, the rules were waived and the Senate reverted to—

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Harry A. Johnston, II, President*

I am directed to inform the Senate that the House of Representatives has passed HB 1366 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Mills and Martin—

**HB 1366**—A bill to be entitled An act relating to the University of Florida; authorizing and directing the university to name a building the "Ralph D. Turlington Hall"; providing funds; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

On motions by Senator Kirkpatrick, by two-thirds vote HB 1366 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Kirkpatrick, by unanimous consent HB 1366 was taken up out of order. On motions by Senator Kirkpatrick, by two-thirds vote HB 1366 was read the second time by title, and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Frank	Johnson	Neal
Beard	Gersten	Kirkpatrick	Peterson
Carlucci	Girardeau	Kiser	Plummer
Castor	Gordon	Langley	Scott
Childers, D.	Grant	Malchon	Stuart
Childers, W. D.	Grizzle	Mann	Thomas
Crawford	Hair	Margolis	Thurman
Deratany	Hill	McPherson	Vogt
Dunn	Jenne	Meek	Weinstein
Fox	Jennings	Myers	

Nays—None

On motion by Senator Stuart, the rules were waived and the Senate reverted to—

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Stuart, the rules were waived and the Committee on Natural Resources and Conservation was granted permission to consider SB 809 on May 8.

On motions by Senator Grant, by two-thirds vote SB 1004 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Girardeau, by two-thirds vote SB 843 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Frank, the rules were waived and the Committee on Economic, Community and Consumer Affairs was granted permission to meet this day from 5:00 until 7:00 p.m. to consider CS for SB 441.

On motion by Senator Neal, the rules were waived and the Committee on Appropriations was granted permission to extend time of adjournment of the May 9 meeting until completion of the Appropriations Bill.

On motions by Senator Jenne, the rules were waived and by two-thirds vote Senate Bills 1168 and 798 were withdrawn from the Committee on Education.

On motion by Senator Jenne, the rules were waived and by two-thirds vote CS for SB 608 was withdrawn from the Committee on Finance, Taxation and Claims.

#### CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 2 was corrected and approved.

#### CO-INTRODUCERS

Senator Meek—SB 193; Senator Carlucci—Senate Bills 749 and 754; Senator Frank—SB 840; Senator Kirkpatrick—SR 1277

#### RECESS

On motion by Senator Jenne, the Senate recessed at 12:03 p.m. to reconvene at 9:00 a.m., Wednesday, May 8.

#### SENATE PAGES

May 6-10

Debra Akins, Edgewater; Greg Blomeley, Tallahassee; Camela Nichelle Cherry, Sarasota; Jeffery Scott Crum, Tallahassee; Dan Dantzler, Odessa; James Robert Daughton, Jr., Port Orange; Kitty Gretsche, Tallahassee; Staci Graham, Clearwater; Jennifer Herndon, Tallahassee; Nicole Minard, Cooper City; Sally Nash, Tallahassee; Gisela K. Nayar, Vero Beach; William Eugene Partington, III, Ormond Beach; Michael S. Sledge, Dade City; Joanne Stone, Chipley; Lori Jean Stottler, Cocoa Beach; Wendy Williams, Jacksonville